



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2900 FAX (603) 271-2456



May 19, 2004

**CERTIFIED MAIL**

**# 7000 1670 0000 0585 8926**

**RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION**

Odyssey Press, Inc.  
22 Nadeau Drive  
Rochester, New Hampshire 03867

Attn: Mr. Martin Parker, Director of Administrative Services

**Re: Odyssey Press, Inc.**  
**Rochester, New Hampshire**  
**EPA ID # NHD510165517**

Dear Mr. Parker:

On March 26, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Odyssey Press, Inc. ("Odyssey"). The purpose of the inspection was to determine Odyssey's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

**RSA 147-A: 4 – Disposal**

At the time of the inspection, DES confirmed that Odyssey was disposing of its D001 hazardous waste "Roller Wash" by pouring it onto their contaminated wipers for laundering. According to facility personnel, between two (2) and four (4) ounces of the hazardous waste "Roller Wash" is generated each operating day and was subsequently improperly disposed of since roughly December, 2003. Odyssey personnel also confirmed that prior to the aforementioned date, the waste "Roller Wash" was collected in a satellite container and disposed of off-site (see manifest #VT0161022).

RSA 147-A: 4, I requires any person who wishes to operate a hazardous waste facility for disposing of hazardous waste to first obtain a permit from DES.

DES requested that Odyssey immediately cease the disposal of hazardous waste and ensure that all hazardous waste is delivered to a permitted facility authorized to handle the hazardous waste.

*An April 2, 2004 e-mail submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation substantiating that Odyssey's D001 hazardous waste "Roller Wash" is currently accumulated in a satellite container and is no longer disposed of improperly. No further action is required.*

2. Env-Wm 509.02(a)(1) - Inspection Requirements

At the time of the inspection, Odyssey had not documented inspections of the hazardous waste storage area at the facility, for a total of fifty-five (55) weeks over a 3-year time period.

Env-Wm 509.02(a)(1), which references 40 CFR 265.15, General Inspection Requirements, requires full quantity generators to conduct and document inspections of the facility, including the hazardous waste storage area(s).

DES requested that Odyssey record in an inspection log or summary, inspections of its hazardous waste storage areas.

*At the time of the inspection, DES confirmed that Odyssey is currently conducting and documenting weekly inspections of the facility, including the hazardous waste storage area. No further action is required.*

3. Env-Wm 509.02(a)(2) – Personnel Training

A review of Odyssey's personnel training program revealed the following deficiencies:

(a) The Emergency Coordinators identified below had not taken part in initial hazardous waste training and/or annual hazardous waste training reviews for years noted:

1. Martin Parker – 2002, 2003, 2004;
2. Charles Parker – 2002, 2003, 2004;
3. Tod Rodney - 2002;
4. Monica Melanson – 2002, 2003, 2004;
5. Dana Davis – 2002, 2003, 2004;
6. Cary Gagnon – 2002, 2003, 2004; and
7. Stephen Jones – 2002, 2003, 2004.

- (b) Five (5) employees responsible for managing the facility's hazardous waste satellite container, had not taken part in an initial hazardous waste training.
- (c) Odyssey's facility training records failed to document a training program which includes a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position.

Env-Wm 509.02(a)(2), which references 40 CFR 265.16, Personnel Training, requires full quantity generators to maintain a personnel training program. This includes, but is not limited to, ensuring that initial training and annual reviews are conducted for emergency coordinators and personnel handling hazardous waste.

Env-Wm 509.02(a)(2) also requires full quantity generators to maintain at the facility, specific documents and records related to personnel training.

DES requested that Odyssey conduct and document hazardous waste training and annual updates for the Emergency Coordinators and employees responsible for hazardous waste management. DES also requested that Odyssey maintain, as part of the personnel training program, documents of hazardous waste job titles, job descriptions, and names of employees filling each position and correct any deficiencies as identified in the enclosed Full Quantity Generator Module. Lastly, DES requested that Odyssey submit a copy of this personnel training program to DES.

*An April 22, 2004 e-mail/fax submittal from Mr. Martin Parker, Director of Administrative Services, provided a written personnel training program which included a list of hazardous waste job titles, job descriptions, descriptions of introductory and continuing training to be provided for each position, and names of employees filling each position. The fax submittal also provided a list of employees that received hazardous waste training for the year 2004. No further action is required.*

4. Env-Wm 509.02(a)(5) – Contingency Plan

A review of Odyssey's contingency plan revealed deficiencies regarding the following:

- (a) Arrangements with local authorities were not described;
- (b) Copies of the plan had not been submitted to local authorities; and
- (c) The specific information to provide to local authorities during an emergency.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested that Odyssey revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

*An April 9, 2004 submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation demonstrating that Odyssey's contingency plan was complete and had been submitted to the local authorities. No further action is required.*

5. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, three (3) 5-gallon containers of used oil destined for recycling, were not labeled with the words "Used Oil for Recycle."

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words "Used Oil for Recycle" at all times during accumulation and storage.

DES requested that Odyssey label all containers and tanks of used oil destined for recycling with the words "Used Oil for Recycle" at all times during accumulation and storage.

*An April 2, 2004 e-mail submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation demonstrating that Odyssey's used oil containers were properly labeled. No further action is required.*

6. Env-Wm 807.06(b)(7) - Standards for Generators of Used Oil Being Recycled

At the time of inspection, Odyssey personnel confirmed that a used oil determination had not been conducted.

Env-Wm 807.06(b)(7) requires generators to conduct an initial used oil determination by analyzing it for all of the parameters specified in Env-Wm 807.02 and Env-Wm 807.03 (exclusive of PCB's if no source of PCB's is present).

DES requested that Odyssey conduct an initial used oil determination for the parameters outlined in Env-Wm 807.02 and Env-Wm 807.03. These parameters include arsenic, cadmium, chromium, lead, flash point, and total halogens. DES also requested that Odyssey provide the results of the used oil determination to DES.

*An April 22, 2004 fax submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation demonstrating that Odyssey's used oil is "On-Specification Used Oil for Recycle." No further action is required.*

7. Env-Wm 112.03(a) and Env-Wm 102.03(c) - Universal Waste Container Requirements

At the time of inspection, the following universal waste lamps were observed in the Hazardous Waste Storage Area without a container:

- (a) Eleven (11) 8-foot lamps;
- (b) Eight (8) 4-foot lamps; and
- (c) Eight (8) 5-foot lamps.

Env-Wm 112.03(a) requires universal waste handlers to store intact and broken universal waste lamps in container(s) that meet the requirements of Env-Wm 1102.03(c). Env-Wm 1102.03(c) furthermore stipulates the containers must be closed, compatible with the universal waste and its contents, and free of defects, design characteristics or damage.

DES requested Odyssey to ensure all universal waste lamps generated at the facility are placed and stored in containers that meet the requirements of Env-Wm 1102.03(c).

*An April 2, 2004 e-mail submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation substantiating compliance with the universal waste container requirements. No further action is required.*

8. Env-Wm 112.04 and Env-Wm 1102.03(c) - Universal Waste Management

At the time of the inspection, the following containers of universal waste lamps were not marked with the words "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

- (a) Three (3) 8-foot boxes; and
- (b) Two (2) 4-foot boxes

Env-Wm 112.04, which references Env-Wm 1102.03, requires universal waste handlers to ensure all container(s) holding universal waste lamps to be clearly labeled or marked with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

DES requested that Odyssey clearly label or mark containers holding universal waste lamps with any of the following: "Universal Waste – Lamps", "Waste Lamp(s)", or "Used Lamp(s)."

*An April 2, 2004 e-mail submittal from Mr. Martin Parker, Director of Administrative Services, provided documentation substantiating compliance with the universal waste labeling requirements. No further action is required.*

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of a report describing the corrective measures taken by Odyssey to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll free at (866) HAZ-WAST (in-state only) or at (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Eric K. Abrams or John J. Duclos, Supervisor of the Hazardous Waste Compliance Section at 271-2942. Specific questions regarding water related issues may be directed to Mary Jane Meier of DES's Water Division at 271-5553, and for air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your cooperation.

Sincerely,

The word "COPY" is printed in large, bold, black capital letters. A handwritten signature in black ink, which appears to read "Kenneth W. Marschner", is written across the "COPY" text, with the signature starting before the "C" and ending after the "Y".

Kenneth W. Marschner, Administrator  
Waste Management Programs  
Waste Management Division

cc: DE/RCRA/NOPV/Archives  
Anthony P. Giunta, P.G., Director, Waste Management Division  
Gretchen R. Hamel Esq., Administrator, DES Legal Unit  
Charles Parker, President, Odyssey Press, Inc.

E-mail: JJD/SD/MM/PM

Enclosure: Inspection Modules